

# STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION  
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**FILED**

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INDIANA UTILITY  
REGULATORY COMMISSION

CAUSE NO. 42738

PETITION OF WABASH VALLEY POWER )  
ASSOCIATION, INC., FOR AUTHORITY TO )  
ISSUE UP TO \$60,000,000 PRINCIPAL )  
AMOUNT OF DEBT SECURITIES TO BE )  
COMPRISED OF PETITIONER'S SECURED )  
FIRST MORTGAGE NOTES AND )  
UNSECURED DEBT IN ANY COMBINATION )  
AND TO USE THE PROCEEDS TO (A) )  
PROVIDE SECURITY FOR LONG-TERM )  
POWER PURCHASES, AND (B) PAYING )  
THE INITIAL COSTS OF ITS )  
CONSTRUCTION PROGRAM. )

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") caused the following entry to be made:

On November 3, 2004, Wabash Valley Power Association, Inc. ("Petitioner") filed a *Motion for Amendment of Caption* ("Amended Caption Motion"). Petitioner also filed on November 3, 2004, an *Amended Verified Petition* ("Amended Petition") in this Cause seeking to amend its original Petition, filed October 12, 2004, by revising its originally proposed financing transaction. Accordingly, Petitioner's amended caption is as follows:

PETITION OF WABASH VALLEY POWER )  
ASSOCIATION, INC., FOR AUTHORITY TO )  
ISSUE UP TO \$100,000,000 PRINCIPAL )  
AMOUNT OF DEBT SECURITIES TO BE )  
COMPRISED OF PETITIONER'S SECURED )  
FIRST MORTGAGE NOTES AND )  
UNSECURED DEBT IN ANY COMBINATION )  
AND TO USE THE PROCEEDS TO (A) )  
PROVIDE SECURITY FOR LONG-TERM )  
POWER PURCHASES, (B) PAYING THE )  
INITIAL COSTS OF ITS CONSTRUCTION )  
PROGRAM, AND (C) REFINANCE ITS )  
EXISTING DEBT. )

CAUSE NO. 42738

Counsel for the Indiana Office of Utility Consumer Counselor has advised that it does not object to Petitioner's Amended Petition or Amended Caption Motion. This

Cause is presently set for evidentiary hearing on December 1, 2004, at 10:00 a.m. in Room E-306 of the Indiana Government Center South, Indianapolis, Indiana.

170 IAC 1-1.1-8 governs the amendment and supplementation, upon oral or written motion, of petitions and complaints before the Commission. Pursuant to 170 IAC 1-1.1-8(b), the Commission shall freely grant leave to amend a petition or complaint upon failure of any other party to the proceeding to demonstrate undue prejudice. In the event that the amended or supplemented petition or complaint seeks relief substantially different than that originally requested, the caption of the petition or complaint shall be revised accordingly. Pursuant to 170 IAC 1-1.1-8(c), any party may amend a pleading once as a matter of course at any time before a responsive pleading is served. However, if the pleading is one to which no responsive pleading is permitted and the cause has not yet been set for an evidentiary hearing, the party may amend it at any time within thirty (30) days after it is served. Otherwise, parties may only amend pleadings by leave of the presiding officer or by written consent of the adverse party, and leave shall be given when justice so requires. A party shall plead in response to an amended pleading within the time remaining for response to the original pleading or within twenty (20) days after service of the amended pleading, whichever period may be the longer, unless the presiding officer otherwise orders.

The Presiding Officer, having considered Petitioner's Amended Caption Motion, hereby finds that it should be GRANTED in all respects. The Presiding Officer thus notifies all interested parties that the caption in this Cause has been amended as reflected in this Docket Entry. Additionally, proper legal notice of the evidentiary hearing in this matter will be re-noticed by publication with Petitioner's amended caption.

**IT IS SO ORDERED.**

  
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Andrea L. Brandes, Administrative Law Judge

Date: November 18, 2004